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Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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MEETING OF THE STATES PARTIES
Fourth Meeting
Geneva
24 November 1993

RESPONSIBILITIES OF THE STATES PARTIES FOR THE EXPENSES REFERRED TO IN ARTICLE 17, PARAGRAPH 7, AND ARTICLE 18, PARAGRAPH 5, OF THE CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

Report of the Secretary-General

ADDENDUM

1. The purpose of this addendum to the Report on the Responsibilities of the States parties for the expenses referred to in article 17, paragraph 7, and article 18, paragraph 5, of the Convention against Torture and other Cruel, Inhuman or Degrading treatment or Punishment is to set out the modalities for the financing of the activities related to the Committee against Torture as from 1 January 1994.

2. It will be recalled that, as mentioned in the above report, the conference of the States parties to the Convention, which was convened on 9 September 1992 under article 29 of the Convention, adopted without a vote an amendment proposed by the Government of Australia to delete paragraph 7 of article 17 and paragraph 5 of article 18 of the Convention concerning the financial responsibilities of the States parties with regard to the activities implemented under the Convention.

3. The Conference recommended that the General Assembly take action for the implementation of the proposed amendments at its forty-seventh session and recalled that the amendments would enter into force after they had been accepted by two thirds of the States parties to the Convention, which shall have so notified the Secretary-General as depositary, and would become operative after the Assembly had taken appropriate action. The Secretary-General, acting in his capacity as depositary submitted on 30 November 1992

to all States Parties the amendments to the Convention adopted by the Conference of the States Parties. As of 15 November 1993, 7 out of the 71 States that were parties to the Convention at the time the amendments were adopted have ratified such amendments.

4. By resolution 47/111 of 16 December 1992, the General Assembly endorsed the amendments to the Convention adopted by the States Parties on 9 September 1992 and requested the Secretary-General to take the appropriate measures to provide for the financing of the Committee against Torture from the regular budget of the United Nations, beginning with the budget for the biennium 1994-1995 and to take the necessary measures to ensure that the Committee met as scheduled until the amendments entered into force.

5. In light of the above resolution of the General Assembly, the Committee against Torture shall be financed under the regular budget of the Organization as from 1 January 1994. To this purpose, estimated provisions have been included in the proposed programme budget for the biennium 1994-1995. Accordingly, the current funding arrangements will be discontinued as of 31 December 1993. Any outstanding balance due to the States parties will be refunded in accordance with established procedures. At the same time it will be recalled that in operative paragraph 7 of its decision taken in September 1992, the Conference of States partes emphasized that the entry into force of the proposed amendments shall not in any way be interpreted as relinquishing the obligation of those States parties that are in arrears to meet in full their outstanding payments of assessed contributions.